

OFFICE OF WASTE MANAGEMENT
DEPARTMENT OF PUBLIC WORKS
FAIRFAX COUNTY, VIRGINIA

STATEMENT OF POLICY REGARDING SEWAGE DISPOSAL

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SECTION A -GENERAL

A-1 The County Integrated Sewage System is operated and maintained by the Department of Public Works, as established by the Board of Supervisors, for the purpose of ultimately providing public sewer service to Fairfax County in accordance with adopted plan.

A-2 The immediate policy, to bridge the gap between present development and ultimate complete system development, is to provide service to areas as designated by the Board to encourage the orderly growth of the County.

SECTION B - POLICY REGARDING DEVELOPMENT AREAS

B-1 Development areas shall be defined as those areas (a) that are within the sewer service areas as designated by the formal action of the Board of Supervisors; (b) that are undeveloped; and (c) that are being subdivided at time of application for service for residential, industrial, commercial, and/or public use requiring public sewerage service.

B-2 The delineation of the sewer service area boundary is to include the immediately adjacent area which can be served by the smallest allowable gravity lines installed in accord with normal engineering practices which will result in the safest and most cost-effective operation. Any extension of a sewer line across the surface drainage divide of an approved sewer service area shall not exceed a distance of 400 feet nor a manhole depth of 12 feet without the approval of the Board of Supervisors. Notwithstanding the above, an ejector pump may be used to pump sewage from one basement level in a structure to a gravity-flow lateral line, provided that the other floor(s) of the structure are served by a gravity-flow lateral line and the ejector pump is used to pump the sewage to such gravity-flow lateral line.

Notwithstanding the foregoing requirement specifying that only gravity lines can be installed in the area immediately adjacent to the approved sewer service area under the 400-foot rule, a limited exception to that rule will be allowed under specified circumstances so as to allow the utilization of a sewage pump when gravity lines cannot be utilized. Such extensions of sewer lines across the surface drainage divide of an approved sewer service area may be allowed to pump the sewage generated by that property, even in those areas where the Board has determined that the 400-foot rule does not apply, if all of the following requirements set forth in either Paragraph 1 (subparagraphs 1(a) through 1(l) below) or Paragraph 2 (subparagraphs 2(a) through 2(r) below) are satisfied:

PARAGRAPH 1 REQUIREMENTS:

1(a) the parcel in question must have been developed with an existing residential structure served by an onsite sewage disposal system;

1(b) the residence on the parcel in question must have been used for human habitation for more than 75% of the time during the three years immediately preceding the request for the sewer line extension;

1(c) in the event the residence on the parcel in question was constructed pursuant to a building permit approved no more than 20 years before the request for the sewer line extension is

made, the onsite sewage disposal system serving that residence must have been approved by the Fairfax County Health Department in accordance with all requirements set forth in the statutes, ordinances, and regulations of the Commonwealth of Virginia and/or Fairfax County;

1(d) the Fairfax County Health Department must have concluded that the onsite sewage disposal system on the parcel in question is failing, constitutes a health hazard, and cannot reasonably be repaired or replaced;

1(e) the Fairfax County Health Department, in consultation with the Department of Public Works and Environmental Services, must have determined that, other than a connection to the public sewer with the use of a sewer pump, there is no reasonable alternative method of sewage disposal available to the parcel with the failing onsite sewage disposal system;

1(f) the parcel to be served by the proposed sewer line cannot be located any more than 400 feet from the boundary of the existing approved sewer service area;

1(g) the lateral to be used by the parcel to be served by the proposed sewer line cannot extend any more than 300 feet from the connection to the public sewer;

1(h) the lateral and the sewage pump to be used by the property in question shall be owned, maintained by, and remain the sole responsibility of the owner of the property proposed to be served by such lateral and pump;

1(i) the sewage pump to be used by the parcel to be served by the proposed sewer line shall be located on that property;

1(j) none of the cost of extending the County sewer line to such a parcel, including the cost of installing the sewage pump, laterals and any other appurtenant devices, shall be borne by the County;

1(k) the extension of the County sewer line, any laterals and all appurtenant devices necessary to provide sewer service to the parcel must be built and/or installed by the property owner in accordance with all of the applicable requirements of the Fairfax County Department of Public Works and Environmental Services and the Fairfax County Health Department; and

1(l) the extension of the County sewer line must be dedicated to and accepted by Fairfax County for ownership and maintenance.

PARAGRAPH 2 REQUIREMENTS:

2(a) the parcel in question must have been developed with an existing residential structure served by an onsite sewage disposal system;

2(b) the residence on the parcel in question must have been used for human habitation for more than 75% of the time during the three years immediately preceding the request for the sewer line extension;

2(c) in the event the residence on the parcel in question was constructed pursuant to a building permit approved no more than 20 years before the request for the sewer line extension is made, the onsite sewage disposal system serving that residence must have been approved by the

Fairfax County Health Department in accordance with all requirements set forth in the statutes, ordinances, and regulations of the Commonwealth of Virginia and/or Fairfax County;

2(d) the Virginia Department of Transportation (VDOT) and/or the Board of Supervisors of Fairfax County must have concluded that a portion of the parcel in question is needed for the construction of a public road project and must be acquired by eminent domain or other means for use in that public road project;

2(e) that the acquisition by eminent domain or other means by VDOT and/or the Board of Supervisors of Fairfax County of a portion of the parcel in question and the construction of the public road project would necessarily result in the incapacitation of the onsite sewage disposal system serving the residence on the parcel in question;

2(f) that the Fairfax County Health Department must have determined that the residence on the parcel in question at the time a portion of said parcel is acquired by VDOT and/or the Board of Supervisors of Fairfax County could no longer be served by the existing onsite sewage disposal system and that the incapacitation of the existing onsite sewage disposal system could not reasonably be repaired or replaced on the remaining portion of the parcel in question;

2(g) that the provision of sanitary sewer to the parcel in question cannot and will not be used for the purpose of constructing any additional residences on the parcel in question;

2(h) that the Fairfax County Health Department must have concluded that the existing onsite sewage disposal system on the parcel in question would constitute a health hazard in the event the existing onsite sewage disposal system would be incapacitated by the public road project;

2(i) the Fairfax County Health Department, in consultation with the Department of Public Works and Environmental Services, must have determined that, other than a connection to the public sewer with the use of a sewer pump, there is no reasonable alternative method of sewage disposal available to the parcel with the onsite sewage disposal system that would be incapacitated by the public road project;

2(j) the parcel to be served by the proposed sewer line cannot be located any more than 400 feet from the boundary of the existing approved sewer service area;

2(k) the lateral to be used by the parcel to be served by the proposed sewer line cannot extend any more than 300 feet from the connection to the public sewer;

2(l) the lateral and the sewage pump to be used by the property in question shall be owned, maintained by, and remain the sole responsibility of the owner of the property proposed to be served by such lateral and pump;

2(m) the sewage pump to be used by the parcel to be served by the proposed sewer line shall be located on that property;

2(n) none of the cost of extending the County sewer line to such a parcel, including the cost of installing the sewage pump, laterals and any other appurtenant devices, shall be borne by the County unless the County is solely responsible for designing, funding, and constructing the

public road project that caused the incapacitation of the onsite sewage disposal system on such parcel;

2(o) the extension of the County sewer line, any laterals and all appurtenant devices necessary to provide sewer service to the parcel must be built and/or installed by or on behalf of the owner of the parcel in question in accordance with all of the applicable requirements of the Fairfax County Department of Public Works and Environmental Services and the Fairfax County Health Department;

2(p) the extension of the County sewer line must be dedicated to and accepted by Fairfax County for ownership and maintenance;

2(q) in the event of a VDOT public road project, a parcel that satisfies all of the foregoing Paragraph 2 requirements will be allowed to connect to the public sewer before the actual incapacitation of the onsite sewage disposal system on that parcel in the event VDOT certifies in writing to the Fairfax County Department of Public Works and Environmental Services that the Commonwealth Transportation Board has taken formal action to award a construction contract for the work that is anticipated to incapacitate that system; and

2(r) in the event of a public road project of the Board of Supervisors of Fairfax County, a parcel that satisfies all of the foregoing applicable Paragraph 2 requirements (2(a) through 2(p)) will be allowed to connect to the public sewer before the actual incapacitation of the onsite sewage disposal system on that parcel in the event the Fairfax County Department of Public Works and Environmental Services certifies in writing to the Board of Supervisors that there is full funding for the public road project that is anticipated to incapacitate that system.

B-3 Development should be encouraged to seek areas already provided with basic sewerage facilities, such as trunk sewers and treatment plants.

B-4 Developers desiring sewerage service, for certain specified areas, shall make application to the Department of Environmental Management and agree to perform all construction in accordance with plans and specifications approved by the Department and in accordance with all current standards of design and construction.

B-5 Developers will be required to provide enlarged sewers within the area developed when required by the Department of Public Works to service adjacent and/or upstream areas in accordance with general plans promulgated from time to time. An agreement to provide for reimbursing a portion of the increased cost to the developer, as set forth in Section E-2, may be executed prior to construction.

B-6 All sewerage facilities constructed by developers shall be a minimum of 8 inches inside diameter, be constructed in public rights-of-way or upon private land with recorded perpetual easements, free of cost to the County, providing free unobstructed, uninterrupted rights-of-way with provisions for ingress and egress for inspection, operation, maintenance, enlargement, replacement, alteration and extension of the facility.

SECTION C - POLICY REGARDING DEVELOPED COMMUNITIES

C-1 Developed communities which may be served by the County are defined as those areas within the service area (as designated by the Board of Supervisors) already populated by separate owners and/or renters, including commercial, industrial, and/or public use establishments, not provided with public sewerage facilities.

C-2 Developed communities may receive public sewerage facilities from the County by one of the following methods:

C-2.1 Bond Program based upon engineering and financial feasibility reports with a County-wide referendum to permit the County to issue sewer bonds to finance the recommended program.

C-2.2 Fund Advancement by the community and/or individuals upon execution of agreement and deposit of sufficient funds to construct the facilities. Such funds shall be subject to partial reimbursement as provided in Section E-2.

C-2.3 Extension and Improvement Funds. After all requirements of the system have been met (i.e., Operation and Maintenance, Debt Service and required reserve), funds may be budgeted for construction of extensions, providing (a) the project is justifiable for the health and welfare of the area; (b) the finances of the system are such as to warrant the necessary expenditures; (c) at least one-half of the potential users of the facilities agree to connect immediately upon completion of the facility, and to pay in cash in advance, the applicable availability charges.

C-2.4 County General Fund Contributions. If the purpose of the project is to abate a public health hazard, the General Fund of the County may, to the extent that the financial condition of the General Fund permits, contribute to the capital cost of such project in amounts up to a fraction thereof, the numerator of which being the number of potential users contributing to the public health hazard and the denominator of which being the total potential users of the project.

C-3 All properties within E&I project area will be evaluated by the Division of Environmental Health, Fairfax County Health Department and assigned into one of the following classes which are used in establishing the priority rating of a project.

Class I - Properties in this class are presently served by on site sewage disposal systems that are malfunctioning and creating an immediate hazard to the community.

Class II - Properties in this class are served by on site sewage disposal systems that have a history of problems, occasionally malfunction, are installed in poor soil conditions, or are otherwise not expected to function satisfactorily for any length of time. Sand filter systems are also included in this class since they do discharge effluent into streams and must be abandoned when public sewer is made available. Properties in this class are a potential hazard to the community.

Class III - Properties in this class are served by pit privies and pose no serious hazard to the community if maintained properly. However, the minimum Housing Hygiene Code of

Fairfax County requires that basic facilities be provided to all dwellings. These properties cannot comply with these requirements without the availability of public sewer.

C-3.1 All projects will be installed in order of their priority rating. The Division of Environmental Health assigns preliminary priorities on the basis of potential health hazards. These priorities are then reviewed jointly with the Department of Public Works and adjustments are made taking into consideration the economic feasibility of the preliminary list.

SECTION D - POLICY REGARDING REVENUES AND CHARGES

D-1 The system is organized and must operate on a basis designed to raise sufficient revenue to pay all costs and provide all appropriate reserves.

D-2 Sources or revenue of the sewer facilities of the County are (1) Availability Charges; (2) Connection Charges; (3) Lateral Spur Charges; (4) Service Charges; and (5) Account Charges.

D-2.1 Availability Charge is a one time charge collected from all users prior to connection to the system to cover in part the applicant's proportional share of the cost of facilities required beyond the collector system. Such facilities beyond the collector system include subtrunk sewers, trunk sewers, pumping stations and treatment facilities.

D-2.2 The fundamental principle in determining the availability fee shall be that:

The needed total annual revenue requirements of sewage works shall be contributed by users and non-users (or by users and properties) for whose use, need and benefit the facilities of the works are provided, approximately in proportion to the cost of providing the use and the benefits of the works.

D-2.3 Availability fee revenues may be used for construction of new capital facilities to the extent such facilities will benefit new subscribers to the system ("new customers"). Availability fee revenues will not be used for improvements to the extent such improvements will only "benefit" "existing" or "current" users of the system. Availability fee revenues may be used to meet the cost of remedying significant operational emergencies, and provision will be made for the timing of reimbursement of the capital for any such emergency disbursements.

D-2.4 Separate accountability for availability fee revenues and capital expenditures will be maintained.

D-2.5 Review of the availability fee consistent with the principles set forth herein will occur annually and will coincide with the County's budget cycle at which time the availability fee schedule for the ensuing year will be set by the Board of Supervisors.

D-2.6 Connection Charge (Front Footage Charge) is a one-time charge collected from all users prior to connection to the system in those cases where service can be obtained from facilities provided by and at the expense of the County, or persons, firms, or corporations other than the applicant. It is levied as a partial repayment of the costs of collector sewers.

D-2.7 Lateral Spur Charge is a one-time charge collected from all users who connect to the lateral spur. This charge must be paid prior to connection to the system and is levied as a partial repayment of the cost of a lateral spur, pursuant to VDH&T requirements that all sanitary sewer facilities to be located within the right-of-way of public highways be installed at one time, under a single permit.

D-2.8 Service Charges are continuing charges based upon water consumption at a cost per 1,000 gallons as established by the rate ordinance.

D-2.9 Account Charges are to defray the cost incurred by reason of special services rendered (repair of developer constructed facilities, temporary treatment, etc.) and agreements or regulatory requirements for which costs are not covered by other charges.

SECTION E - POLICY REGARDING REIMBURSEMENT AND FUNDS ADVANCED TO COUNTY

E-1 Facilities will be constructed only after sufficient funds are advanced by others to finance said construction, or after the reserves of the system are adequate to finance said construction, or after the issue and sale of revenue bonds.

E-1.1 Investments by developers in local collector and lateral facilities in their respective development areas will not be refunded by, or become an obligation of, the County, as such investments are considered as accrued benefits to the improved property and will be recovered through the increase in value of the property.

E-1.2 Individual owners located adjacent to or within reach of service by sewers installed by and at the expense of the County, or by persons, firms or corporations other than the individual owner, will be required to pay the applicable Availability and Connection charges upon application for service.

E-2 Enlarged Sewers within the area under development as required by paragraph B-5 which are greater than required for the facilities being developed and/or off-site sewers constructed by agreement may be reimbursed for the cost differential as set forth in the agreement according to the following policy:

E-2.1 The amount to be reimbursed shall not exceed the original cost of the enlarged facility multiplied by the quotient obtained by dividing the total acreage and/or units served less the development acreage and/or units served by the total acreage and/or units served by said enlarged facility. This amount is subject to the interest rate of paragraph E-2.3.

E-2.2 Only sewers with an internal diameter exceeding ten (10) inches will be considered as enlarged sewers.

E-2.3 Reimbursement payments will be made as provided in the agreement, subject to the following limitations:

- A. The funds and interest for aforesaid payment shall be collected from other users and an Account Charge as provided in paragraph D-2.4.
- B. The interest rate shall not exceed 10% per annum for a period of time longer than fifteen (15) years from the date of completion and acceptance of the facility.
- C. Annual payments to the developer, his assignee or successor, will be made annually in January for not more than twenty (20) consecutive years.
- D. While it is generally believed that a substantial portion of the additional cost will be reimbursed in the twenty (20) year period, the County shall incur no liabilities for failure to collect aforesaid sums of money. Any loss of anticipated reimbursement is considered fully compensated by accrued benefits to the improved property resulting from advancement of the date when sewage service would have become available.

E-3 Extensions of sewers to the development boundary of single family subdivisions to facilitate service to adjoining properties will generally be constructed concurrent with the construction of facilities within the subdivision. Costs incurred by developer will be reimbursed from available E&I funds, which will be replenished by an Account Charge to adjoining property.

E-4 Subject to execution of an application with the County, a property owner who privately funds an extension of the public sanitary sewer will be reimbursed under the following circumstances and according to the following policy:

- a. The public sanitary sewer line extension is available to and serves two or more single-family detached residential properties in a subdivision by direct connection and the applicant owns no more than two of such residential properties, one of which must be occupied by the applicant; and
- b. Upon the County's receipt of a Surcharge, as described in E-4(c) below, which shall be collected at the time any person files an application to connect to or contributes sewage to the privately funded sanitary sewer line extension, such surcharge shall be paid in January as partial reimbursement to the property owner funding the extension; and
- c. The Surcharge amount equals the quotient obtained by dividing the cost of the sanitary sewer extension by the total number of single-family residential properties eligible to be served by the sewer line extension or the County's current maximum Connection Charge for a single-family residential property, whichever is less. The cost of the sanitary sewer extension for purposes of determining the Surcharge is limited to installation costs (including, but not limited to, engineering, easement, permit, and construction costs) of that section of the sanitary sewer line that is used jointly by the connecting single-family residential properties.
- d. The applicant will forfeit any right to reimbursement under this policy in the event the applicant ceases to own at least one of the residential dwellings for which the extension of the sewer line was constructed in the five-year period following the completion of the sewer extension. The applicant will also forfeit the right to reimbursement if the applicant fails to maintain a valid mailing address with the County in accordance with the terms and conditions of the reimbursement application.

- e. This policy applies only to lawful sewer line extensions and connections that fully comply with all of the provisions of the Board's adopted Statement of Policy Regarding Sewage Disposal.

SECTION F – LIMITATION OF STATEMENT OF POLICY

F-1 This statement of policy is published for the information of developers and the general public as a guide to understanding the policy of the Department of Public Works in its administration of the Integrated Sewerage System of Fairfax County. As such, no statement herein contained should be construed as binding upon the County.